

STATE OF MINNESOTA

FILED

DISTRICT COURT

COUNTY OF SCOTT

NOV 20 2009 A

SCOTT COUNTY COURTS

FIRST JUDICIAL DISTRICT

Case Type: Mechanic's Lien Foreclosure

In re M.W. Johnson Construction, Inc.
Mechanic's Lien Foreclosure Litigation

Consolidated Master Court File: 70-CV-09-7343

Judge: Jerome B. Abrams

Stewart Plumbing, Inc.,

Scott County Court File: 70-CV-08-14381

Plaintiff,

vs.

**STIPULATION OF PARTIAL DISMISSAL
WITH PREJUDICE;**

Hector and Yudi Revolorio, M.W.
Johnson Construction, Inc., Aurora
Loan Services, LLC, Lehman Brothers
Bank, FSB, Dan Stanton Masonry, Inc.,
Slate Cement, Inc., Pyramid
Enterprises, Inc., TJ's Group of MN,
Inc., d/b/a TJ's Landscaping, Elite
Construction Services, Inc., d/b/a Elite
Waste Disposal, Bernco, a Division of
United Building Centers, XYZ
corporation, ABC Partnership, John
Doe and Mary Roe,

**ORDER FOR PARTIAL DISMISSAL WITH
PREJUDICE AND PARTIAL JUDGMENT**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Hector Revolorio, Yudi Revolorio (the "Revolorios"), and Aurora Loan Services, LLC, by and through their undersigned attorneys, as follows:

1. Count II of Stewart's Complaint for unjust enrichment against the Revolorios shall be dismissed with prejudice on the merits and without an award of costs, disbursements or attorney's fees to any party.

2. Any party to this Stipulation without prior notice to any other party may cause an order for partial judgment to be entered herein.

Dated: October 14, 2009

CHRISTENSEN & LAUE, P.A.

By: 

Susanne M. Glasser (#0272978)

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Edina, Minnesota 55436

(952) 927-8855

Attorney for Plaintiff Stewart Plumbing, Inc.

COLEMAN, HULL & VAN VLIET, PLLP

Dated: October 14, 2009

By: 

Katherine M. Melander (#180464)

Steven R. Little (#0304244)

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Attorneys for Defendants

Hector Revolorio, Yudi Revolorio and

Aurora Loan Services, LLC

ORDER FOR PARTIAL DISMISSAL WITH PREJUDICE AND PARTIAL JUDGMENT

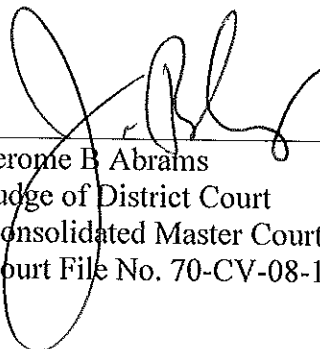
Pursuant to the foregoing Stipulation of Partial Dismissal entered into by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Hector Revolorio, Yudi Revolorio (the "Revolorios"), and Aurora Loan Services, LLC, by and through their attorneys, the Court makes the following **ORDER**:

1. The parties' Stipulation of Partial Dismissal with Prejudice is hereby approved in all respects.
2. Count I of Stewart's Complaint against the Revolorios for unjust enrichment is hereby dismissed **WITH PREJUDICE**, on the merits and without an award of costs, disbursements or attorneys' fees to any party.

THERE BEING NO JUST REASON FOR DELAY, LET PARTIAL JUDGMENT BE ENTERED FORTHWITH.

BY THE COURT:

Dated: Nov 19, 2009


Jerome B. Abrams
Judge of District Court
Consolidated Master Court File No. 70-CV-09-7343
Court File No. 70-CV-08-14381

JUDGMENT

I DO HEREBY CERTIFY THAT THE FOREGOING ORDER
CONSTITUTES THE JUDGMENT OF THIS COURT.

DATE 11-20-09
GREGORY M. ESS
COURT ADMINISTRATOR, SCOTT COUNTY, MINN.

DEPUTY

